

# ***FISH and WILDLIFE COMMISSION AGENDA ITEM COVER SHEET***

**Meeting Date:** April 25, 2019

**Agenda Item:** Dailey Lake Fishing Access Site Easement (R3)

**Division:** Fisheries

**Action Needed:** Final

**Time Needed on Agenda for this Presentation:** 5 minutes

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## **Background:**

Dailey Lake FAS is generally located in the Paradise Valley between Livingston and Gardner. The site includes 242-acres of land owned in fee title by the FWP and 122-acres of DNRC leased property on the north end of the lake. The leased property is owned by the DNRC School Trust Division and has been leased by FWP since the late 1980s or early 1990s. FWP has developed a portion of the DNRC leased area for camping that also includes a boat ramp and dock. DNRC recently appraised the property value of the site at \$490,000, which through DNRC's lease fee calculation formula increased the annual lease fee to FWP from \$8,870 to \$19,611 for the first year then escalating annually to \$23,437 over the next 10 years. Rather than continue leasing the entire 122 acres, FWP will reduce its recreational footprint to 26.74 acres that encompasses only the improved camping area. Rather than leasing, FWP will purchase a perpetual easement from DNRC. DNRC's internal appraisal of the property indicates a value of \$5,000 per acre putting a value of the 26.74 acre easement property at \$133,700. The purchase of an easement will provide FWP a perpetual interest in the property that is no longer subject to market fluctuations and DNRC's annual escalator increases.

## **Public Involvement Process & Results:**

The Environmental Assessment was prepared and released for public comment for a period of 30 days, ending March 29. The EA was advertised in the Livingston Enterprise and the Helena Independent Record. One comment was received. The commenter stated that "...it looks like the best plan at this time, unless the DNRC wanted to trade or sale the land to FWP..."

## **Alternatives and Analysis:**

Only the Proposed Alternative and the No Action Alternative were considered. There was no other alternative that was deemed reasonably available or prudent. Neither the Proposed Alternative nor the No Action Alternative would have significant negative environmental or potentially negative consequences.

## **Agency Recommendation & Rationale:**

FWP recommends that the commission approve the department acquiring a permanent easement as opposed to a lease on the Dailey Lake FAS. It offers the advantage of paying a onetime fee based on current market values and would eliminate continuing to pay future lease fees for an indefinite period based on market fluctuations and continued reappraisals of the property.

## **Proposed Motion:**

I move to that the commission approve FWP's request to acquire a perpetual easement from DNRC in place of a lease on the Dailey Lake FAS.

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## Public Comment Received (1):

Dear Fish Wildlife & Parks Commission,

I support the purchase of a Perpetual Easement from MT DNRC at Daileys Lake. It looks like the best plan at this time, unless the DNRC wanted to trade or sale the land to the FWP. I would also support that and the DNRC might want to trade for the hay meadows that are current owned by the FWP.

Thank You

Bert Otis  
Emigrant, MT  
[otisranch@wispwest.net](mailto:otisranch@wispwest.net)